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PATENT

OCT 9.1 2005 PATENT

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

MCKEOWN et al.

Examiner:

To be assigned

Serial No.:

10/632393

Group Art Unit:

1645

Filed:

August 01, 2003

For:

Methods and Compositions for Genotyping

Customer No.:

23719

Kalow & Springut LLP 488 Madison Avenue, 19th Floor New York, New York 10022

October 18, 2005

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents:

In accordance with 37 C.F.R. §§ 1.56 and 1.97 through 1.98, Applicants wish to make known to the Patent and Trademark Office the references set forth on the attached form PTO/SB/O8 A and B. Applicants do not admit that the references are "prior art" under 35 U.S.C. §§ 102 or 103, and specifically reserve the right to traverse or antedate any such references. Although the aforesaid references are made known to the Patent and Trademark Office in compliance with Applicants' duty to disclose all information of which they are aware and believe relevant to the examination of the above-identified application, Applicants believe that their invention is patentable.

Certificate of Mailing Under 37 C.F.R. 1.8

I hereby certify that this correspondence is being deposited on the date shown below with the United States Postal Service as first class mail with sufficient postage in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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(Date)

Applicant: MCKEOWN et al. Serial No.: 10/632,393

Filed: August 01, 2003

Information Disclosure Statement

October 18, 2005 Page 2 of 3

1.U.S. PATENT DOCUMENTS

Patent No.	Date Issued	Title
5,811,235 to Jeffreys	September 22, 1998	Methods of Characterization
5,888,819 to Goelet <i>et al</i> .	March 30, 1999	Method for determining nucleotide identity through primer extension
6,004,744 to Goelet et al.	December 21, 1999	Method for determining nucleotide identity through primer extension of immobilized primer
6,013,431 to Soderlund <i>et al</i> .	January 11, 2000	Method for determining specific nucleotide variations by primer extension in the presence of mixture of labeled nucleotides and terminators

II. PATENT APPLICATION PUBLICATIONS

Patent Application Publication No.	Publication Date	Title
US 2004/0166506 A1 to McKeown	August 26, 2004	Methods of Composition for Genotyping
US 2004/0185439 A1 to Kalush et al.	September 23, 2004	Estrogen Receptor Beta Variants and Methods of Detection Thereof

III. FOREIGN PATENT DOCUMENTS

Publication No.	Country	Publication Date
EP 0416817 A2	EP	13 March 1991
EP 0416817 A3	EP	13 March 1991
EP 0416817 B1	EP	13 March 1991
GB 2252407 A	GB	05 August 1992
GB 2252407 B	GB	05 August 1992
WO93/25563 A1	WIPO	23 December 1993
WO 97/42345	WIPO	13 November 1997

Applicant: MCKEOWN et al.

Serial No.: 10/632,393 Filed: August 01, 2003

Information Disclosure Statement

October 18, 2005 Page 3 of 3

III. NON PATENT PUBLICATIONS

Accession No. M12480, (1994) Humanapoliprotein B-100 mRNA.

Accession No. X53271, (1993) H. sapiens mRNA for ornithine decarboxylase.

Accession No. M86631, (2001) Homo sapiens (clone ST-18-5(9/16)) cystic fibrosis transmembrane conductance regulator (CFTR) gene, 3' end intron 17B; complete exon 18; complete intron 18.

Piggee, C.A. et al. (1997) "Capilliary electrophoresis for the detection of known point mutations by single-nucleotide primer extension and laser-induced fluorescence detection," *Journal of Chromatography A*, 781:367-375.

Mangano, M.F. et al. (1999) "Composition dependent separation of oligonucleotides by capillary electrophoresis in acidic bufferes with applications to the quality control of synthetic oligonucleotides," *Journal of Chromatography A.*, 848:435-442.

Applicants submit that no fee is due in connection with the filing of this Supplemental Information Disclosure Statement, since no action has been taken on the merits. If any additional fees are deemed due or any overpayment has been made please charge, or credit our Deposit Account No. 11-0171.

Respectfully submitted,

Tor Smeland

Registration No.: 43,131 Attorney for Applicant

Kalow & Springut LLP (212) 813-1600

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Application Number	10/632,393		
Filing Date	August, 01, 2003		
First Named Inventor	MCKEOWN et al.		
Art Unit	1645		
Examiner Name	To be assigned		
Attorney Docket Number	13428PCTUS	7	

_			U.S. PATENT	DOCUMENTS	
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (V known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		US- E 044 00E	00 22 1009	loffroys	- General Francisco
	ļ <u>. </u>	^{US-} 5,811,235	09-22-1998		
		^{US-} 5,888,819	03-30-1999	Goelet, et al.	<u> </u>
		^{US-} 6,004,744	12-21-1999	Goelet, et al.	
		^{us-} 6,013,431	01-11-2000	Soderlund, et al.	
		^{us-} 2004/0166506 A1	08-26-2004	McKeown	
		^{US-} 2004/0185439 A1	09-23-2004	Kalush et al.	
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FOREIGN PATENT DOCUMENTS							
Examiner Cite Initials* No.1	I	Publication Date	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages			
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T ⁶	
		EP 0416817 A2	03-13-1991	Imperial Chemical			
		EP 0416817 A3	03-13-1991	Imperial Chemical			
		EP 0416817 B1	03-13-1991	Zeneca Limited			
		GB 2252407 A	08-05-1992	Imperial Chemical			
•		GB 2252407 B	08-05-1992	Zeneca Limited			
		WO 93/25563 A1	12-23-1993	City of Hope			

Examiner	Date
Signature	Considered

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. Applicant's unique citation designation number (optional). See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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INFORMATION DISCLOSURE				First Named Inventor	MCKEOWN et al.	
STATEMENT BY APPLICANT		Art Unit	1645			
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Examiner nitials*			Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant	
		Number-Kind Code ^{2 (V known)}			Figures Appear	
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	FOREIGN PATENT DOCUMENTS						
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		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)	MM-DD-YYYY		Or Relevant Figures Appear	T'	
		WO 97/42345	11-13-1997	Zeneca Limited			
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			CLOSURE	Filing Date	August, 01, 2003	
STA	STATEMENT BY APPLICANT		First Named Inventor	MCKEOWN et al.		
	(Use as many sheets as necessary)			Art Unit	1645	
				Examiner Name	To be assigned	
Sheet	3	of	3	Attorney Docket Number	13428PCTUS	

Examiner	Cite	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of	
Initials*	No. ¹	the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
		Accession No. M12480, (1994) Humanapoliprotein B-100 mRNA.	
		Accession No. X53271, (1993) H. sapiens mRNA for ornithine decarboxylase.	
		Accession No. M86631, (2001) Homo sapiens (clone ST-18-5(9/16)) cystic fibrosis transmembrane conductance regulator (CFTR) gene, 3' end intron 17B; complete exon 18; complete intron 18.	
		Piggee, C.A. et al. (1997) "Capilliary electrophoresis for the detection of known point mutations by single-nucleotide primer extension and laser-induced fluorescence detection," Journal of Chromatography A, 781:367-375.	
		Mangano, M.F. et al. (1999) "Composition dependent separation of oligonucleotides by capillary electrophoresis in acidic bufferes with applications to the quality control of synthetic oligonucleotides," Journal of Chromatography A., 848:435-442.	
Examiner	<u> </u>	Date	

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¹ Applicant's unique citation designation number (optional). 2 Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.